



Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

The Commonwealth of Massachusetts
Department of Public Safety
One Ashburton Place, Room 1301
Boston, Massachusetts 02108-1618

Phone (617) 727-3200

Fax (617) 727-5732

www.mass.gov/dps

Daniel Bennett
Secretary

Matt Carlin
Commissioner

Minutes

**Bureau of Pipefitters, Refrigeration Technicians and Sprinklerfitters
Department of Public Safety, 50 Maple St, Milford, MA 01757
March 16, 2016, 10:00 AM**

1. Meeting called to order by the Chairman at 10:23 a.m., followed by roll call, the Chairman asked that members identify themselves and whom they represent:

Board Members Present:

Edward Kawa, Chairman
Mark Fortune, Sprinklerfitter Member
John Viola, Sprinkler Contractor Member
Brian Kelly, Mass. Building/Construction Trades
Frank Norton, Boston Refrigeration Contractors
Dan Dumont, NE Mechanical Contractors
William Gallagher, Refrigeration Technician
Pauline Lally, User Member

Board Members Not Present:

Jennifer Revill, Public Member
Michael Torchio, Mechanical Engineer
Leo Fahey, Pipefitter Member

Guests Present:

Barbara Lagergren, Gould Const.
Gordon MacEwan, IAPMO
Brian Christo, Local 877
Brett LaPlante, Local 51
Jason Alves, SJ Applicant
Jared Powers, SJ Applicant
Henry Geryk, DPS
Dan Kilburn, DPS
Mark Sullivan, DPS
Dave Vandal, DPS
Jeff Isabelle, DPS
Cesar Lastra, DPS
Holly Bartlett, DPS

2. **Minutes:** Draft minutes from the meeting on February 17, 2016, were reviewed. **Motion to approve the minutes made by Frank Norton, seconded by Brian Kelly; motion passed by unanimous vote.**
3. **Applications for Review:**
 - Application for SJ submitted by Jason Alves, Mr. Alves was present at this meeting. Mr. Alves addressed the Bureau, summarizing his work experience and education, and answered several questions about the licensure he holds from other jurisdictions. **Motion made by John Viola, seconded by Dan Dumont, to approve this application; motion passed by unanimous vote.**
 - Application for SJ submitted by Jared Powers, Mr. Powers was present at this meeting and described for the Bureau his work experience and education. He also explained that he is currently in the process of developing an apprentice program at the company where he works. The Bureau acknowledged that although Mr. Powers has experience, he has not completed an

apprenticeship. **Motion to deny this application made by John Viola, seconded by Mark Fortune; motion passed by unanimous vote.**

4. 528 CMR: The Chairman directed the Bureau members' attention to 528 CMR 11.02(3)(f), and read the first sentence, "A person who is licensed as a Journeyman Pipefitter with a restricted classification is eligible to be examined for another classification of the Journeyman Pipefitter license." The intent of this paragraph was discussed briefly, and there is consensus of the members that this sentence does not preclude an applicant from having to meet the required training and apprenticeship prerequisites. An FAQ addressing this will be posted on the DPS website.
5. Enter into record: Written comments received following the Listening Session held on 12/18/2015 from Tom O'Rourke and Christopher Faucher.
6. Enter into record: Executive Session minutes from 6/18/14, 11/5/14 and 12/10/2014. As these minutes were not available for review at this meeting, these will be considered at the next regular meeting.
7. The Chairman asked the Bureau members to consider language in 528 which addresses who can do 'visual inspections' on sprinkler systems. Prior to the recent promulgation of changes to 528 CMR, there had been an interpretation posted on the DPS website which allowed unlicensed individuals to perform 'testing' of fire protection sprinkler systems, as long as the individual works for a licensed sprinkler contractor. Because that has been changed in the current regulation, Section 11.02(2), this administrative ruling is no longer valid, and has been removed from the DPS website. Cesar Lastra further clarified this matter by reading to the Members the current definition of Sprinklerfitting in 528 CMR, which does include 'testing' as a sprinklerfitting activity. The matter of whether sprinkler contractors must be incorporated with the state was discussed briefly. The Chairman had proposed this question to DPS counsel, and was told that incorporation is not a prerequisite for licensure, but may be a prerequisite to do business in Massachusetts. Mark Fortune brought up the problem of individuals who hold SC licenses and are able to pull permits, but are not incorporated to do business in Massachusetts. Jack Viola pointed out that one of the recent changes made to the regulation was to require SC license holders to produce evidence of insurance upon renewal; enforcement of this will help to resolve the matter of non-incorporated companies doing sprinklering work in Massachusetts. To reinforce this, Cesar Lastra read paragraph 11.04(2)(h), which contains the specific language requiring documentation of liability insurance be presented as a requirement of renewal of SC licenses. The Chairman will have that specific line-item added to the renewal form for SC.
8. **Motion to adjourn made by Frank Norton, seconded by Mark Fortune; motion passed by unanimous vote, meeting adjourned at 11:13 AM.**

The next meeting of the Bureau of Pipefitters, Refrigeration Technicians, and Sprinklerfitters will be on Wednesday, April 20, 2016, at the DPS Milford office.

List of Documents/Exhibits Used at this Meeting

- a. Draft agenda for today's meeting
- b. Draft minutes from meeting on February 17, 2016
- c. SJ Application from Jason Alves
- d. SJ Application from Jared Powers
- e. Copy of 528 CMR Section 11.02: Pipefitter Licensing
- f. Written comments received from Tom O'Rourke
- g. Written comments received from Christopher Faucher